IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 14519 of 2004

Between:

1 Kunja Pentaiah S/o. Rajulu, Scheduled Tribe,
R/o. Epulapadu h/o Korsavarigudem, Buttaigudem Mandal, W.G.District.
2 Madivi Muthamma W/o. Seethaiah, Scheduled Tribe,
R/o. Epulapadu, h/o. Korsavarigudem, Buttaigudem Mandal, W.G.District.

..... PETITIONER(S)

AND

1 Mandal Revenue Officer, Buttaigudem Mandal, W.G.District.
2 District Collector, West Godavari, at Eluru.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an order, direction or writ, more particularly one in the nature of writ of mandamus declaring that the action of the first respondent in pressuring the petitioners to vacate the assigned land measuring Ac.3-00 in S.No.52 P and Ac.6-00 in S.No.66P, Korsavarigudem, without notice and permissible cause, is unlawful and arbitrary, and further directing the respondents not to evict the petitioners from the said land except in accordance with the conditions of assignment.

Counsel for the Petitioners:MR.K.BALAGOPAL

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

Heard the learned counsel appearing for petitioners as well as the learned Government Pleader for Revenue appearing for respondents and they agreed to dispose of the writ petition at the admission stage itself.

The petitioners, who claim to have been assigned lands in the year 1997 admeasuring Acs.3-00 in Survey No.52P and
Acs.6-00 in Survey No.66P situated at Korsavarigudem respectively, were granted D-Form Pattas and they are in possession of the said lands. They complain that the respondents, without following the due procedure and without issuing any notice to them, are trying to interfere with their possession.

It is needless to add that as long as the pattas granted in favour of the petitioners are in force, the respondents cannot dispossess the petitioners from the lands in question, which were assigned in their favour that too without issuing any demand notice.

In view of the same, the respondents are directed not to dispossess the petitioners from the lands in question without following the due procedure.

With the above direction, the writ petition is disposed of. No order as to costs.

19th AUGUST, 2004.

Note: furnish c.c. in two days.

B/o

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To

1 The Mandal Revenue Officer, Buttaigudem Mandal, W.G.District.
2 The District Collector, West Godavari, at Eluru.

3 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad.

4 Two CD copies.